

REMARKS

The Examiner has imposed a restriction requirement on the above-identified application saying that the inventions listed as Groups I-III do not relate to a single general inventive concept. Applicants hereby elect the claims of Group II, with traverse. The elected species for search purposes, if the restriction is made final, are:

- pharmaceutical agent (claims 11 & 19) - paclitaxel
- pharmaceutical agent (claim 18) - anti-neoplastic agents
- targeting ligand (claim 15) - monoclonal antibody

Traversal is on the grounds that that Examiner has ignored the single general inventive concept that **does** link all the claims together - the requirement that the specified drug delivery system, either claimed as such in Groups I and II or recited in the method of use of Group III, **is the same** in all groups, a "micelle comprising polyethylene glycol and a lipid component," with "a pharmaceutical agent dispersed in said lipid component." In fact, Group II is merely a preferred embodiment of Group I, with independent claim 10 being a rewrite of claim 9 in independent form, and Group III is a method of use **exactly** of the drug delivery system of Group I, with the recital as the first step of claim 20 "providing the drug delivery system of claim 1."

Applicants submit that all claims in the application are in condition for allowance and such action is requested.

Application No. 10/553,612
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Confirmation No.: 1991

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,
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